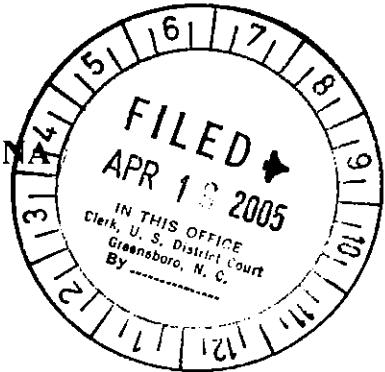


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



GEORGE BENNETT,)
Petitioner,)
v.)
UNITED STATES OF AMERICA,)
Respondent.)

1:05CV00196
6:94CR189-2

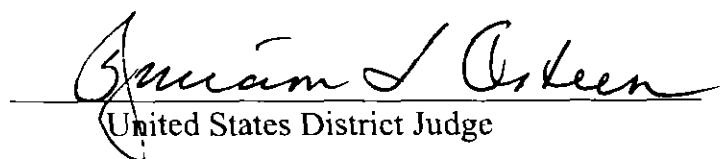
J-U-D-G-M-E-N-T

On March 4, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that Petitioner's "petition for rehearing of judgment 10-12-04" [Pleading No. 223], "petition for rehearing of judgment" [Pleading No. 227], and "motion for resentencing downward departure [Pleading No. 231] each be construed as a motion to vacate, set aside or correct sentence, and that the motions to vacate be dismissed without prejudice for failure to obtain certification from the Fourth

Circuit as required by 28 U.S.C. §§ 2244 and 2255 and Fourth Circuit Local Rule 22(d).



United States District Judge

Date: April 19, 2005